

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUFFERN PARTNERS LLC,

Plaintiff,

-against-

Civil Action No. 20-cv-08905-CS

OLD REPUBLIC NATIONAL TITLE INSURANCE
COMPANY, GILBERT BACKENROTH, STEPHEN
GRABLE, HAHN & HESSEN LLP, and ISAAC
LEFKOWITZ,

**ORDER TO SHOW CAUSE
WITH EMERGENCY RELIEF
AND EX PARTE TRO**

Defendants.

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OLD REPUBLIC NATIONAL TITLE INSURANCE
COMPANY,

Third-Party Plaintiff,

-against-

THOMAS LANDRIGAN and COHEN,
LABARBERA & LANDRIGAN, LLP,

Third-Party Defendants.

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UPON reading and filing the affirmation David K. Fiveson, Esq. in support, dated January 7, 2021, with exhibits A-DD annexed thereto; the declaration of Maria Filippelli in support, sworn to January 6, 2021, with Exhibits A-E annexed thereto; and the Answer with Defenses to Counterclaims filed by plaintiff Suffern Partners LLC (“Suffern”) on December 28, 2020 as CM/ECF 45, Suffern shall show cause before this Court Room ____ at the United States District Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601-4150, on the _____ day of _____ at 9:30 a.m., or as soon thereafter as counsel can be heard, why an order should not issue on the motion of defendant Old Republic National Title Insurance Company (“ORNTIC”), for the following relief:

- (a) Pursuant to FRCP 65, granting ORNTIC a preliminary injunction restraining Suffern, its employees, agents, members and managers and/or assigns, from disbursing, dissipating, hypothecating, encumbering, transferring or secreting any portion of the \$1,484,483.86 paid to Suffern in partial refund of \$2 million deposited by ORNTIC into escrow to settle a title claim of Suffern; and
- (b) Granting ORNTIC such other and further relief as the Court deems just and proper;

SUFFICIENT CAUSE APPEARING THEREFORE, IT IS HEREBY,

ORDERED, that pending a hearing and determination of the within motion, Suffern, its employees, agents, managers, members and/or assigns and all persons acting in concert with Suffern are temporarily prohibited and restrained from disbursing, transferring, dissipating, hypothecating, encumbering or secreting any portion of the \$1,484,483.86 paid to Suffern as a Claim Refund pending further order of this Court; and it is further

ORDERED that service of a copy of this Order to Show Cause and the papers upon which it is based, on or before the ____ day of _____ 2021, upon Suffern and all parties who have appeared herein, by ECF filing, and that such notice be deemed good and sufficient service.

E N T E R:

UNITED STATES DISTRICT JUDGE